

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

| | | |
|---------------------------------|---|---------------------------------|
| JEREMY WADE, #M-17657, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Case No. 15-cv-01353-NJR |
| |) | |
| VIPIN SHAH, |) | |
| WEXFORD MEDICAL SOURCES, |) | |
| SUZANN BAILEY, and |) | |
| ALFONSO DAVID, |) | |
| |) | |
| Defendants. |) | |

NOTICE OF IMPENDING DISMISSAL

ROSENSTENGEL, District Judge:

On December 10, 2015, Plaintiff Jeremy Wade, currently incarcerated at Pinckneyville Correctional Center, filed a complaint pursuant to 42 U.S.C. § 1983 (Doc. 1). On that date, Plaintiff also filed a Motion and Affidavit to Proceed in District Court without Prepaying Fees or Costs (“IFP Motion”) (Doc. 2). On December 16, 2015, the Court entered an order (Doc. 6) informing Plaintiff that he had failed to provide the necessary prisoner trust fund account information as required by the PLRA, which is required in order for the Court to determine whether the inmate is entitled to proceed without prepaying fees and costs. Pursuant to 28 U.S.C. Section 1915(b)(1), the Court must review the prisoner trust fund account statement for the 6 month period immediately preceding the filing of this action. The Court ordered Plaintiff to provide a certification by the Trust Fund Officer at the facility and a copy of his/her trust fund account statement (or institutional equivalent) for the period 6/1/2015 to 12/10/2015 no later than 2/1/2016. The Court further advised Plaintiff that failure to do so would result in dismissal of this

action for failure to comply with an Order of this Court. FED. R. CIV. P. 41(b). *See generally* *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994); *see also* *Sultan v. Fenoglio*, 775 F.3d 888, 890 (7th Cir. 2015) (noting that when a prisoner fails to provide a statement of his trust account within a given time, dismissal for want of prosecution is appropriate). Plaintiff has yet to provide the Court with the necessary certification and trust fund account statement.

In addition, on December 21, 2015, the Court entered a text order (Doc. 7) notifying Plaintiff that the right side of pages 5-10 of his complaint was inadvertently cut off. That Order stated:

Pursuant to the Procedural Rules for Electronic Filing in the Southern District of Illinois, see General Order 15-05, Plaintiff is DIRECTED to mail the original [complaint] to the Court or re-submit the [complaint] to library staff for electronic submission no later than January 7, 2016. Once the Court receives a fully legible copy of the complaint, the complaint will undergo preliminary review pursuant to 28 U.S.C. § 1915A.

(Doc. 7). To date, Plaintiff has not re-submitted the complaint.

Plaintiff is **WARNED** that he must provide the Court with the necessary certification by the Trust Fund Officer at the facility and a copy of his/her trust fund account statement (or institutional equivalent) for the period 6/1/2015 to 12/10/2015 no later than **February 1, 2016**, as previously advised, or this case will be dismissed. In addition, Plaintiff must submit an original copy of his complaint, either through regular mail or by electronic submission by the same date, **February 1, 2016**. These documents may be mailed to the Clerk of Court at the following address: United States District Court–Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois 62201.

Lastly, Plaintiff is **ADVISED** of his continuing obligation to keep the Clerk and each opposing party informed of any change in his address. The Court will not independently

investigate Plaintiff's whereabouts. This shall be done in writing and not later than 7 days after a transfer or other change in address occurs.

Failure to comply with this Order shall result in dismissal of this action for want of prosecution and/or for failure to comply with a court order under Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED.

DATED: January 22, 2016

s/ NANCY J. ROSENSTENGEL
NANCY J. ROSENSTENGEL
United States District Judge